

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00116

ANTWON ADAMS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On August 3, 2015, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Antwon Adams, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Lilla M. Adkins. The defendant commenced a five-year term of supervised release in this action on May 10, 2013, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on October 17, 2008.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant violated federal and state law inasmuch as he possessed approximately two ounces of marijuana on April 15, 2015, as evidenced by his stipulation on the record of the hearing that the government possesses sufficient proof to prove the offense by a preponderance of the evidence; (2) the defendant used and possessed marijuana as evidenced by a positive urine specimen submitted by him on January 15, 2014, the defendant having signed a voluntary admission form that same date confirming his use of marijuana; the defendant's admission to the probation officer on August 1, 2014, that he had smoked marijuana on nearly a daily basis since March 2014; a positive urine specimen submitted by him on April 30, 2015, for marijuana, the defendant having signed a voluntary admission form that same date confirming his use of marijuana while incarcerated at the South Central Regional Jail; and a positive urine specimen submitted by him on July 6, 2015, the defendant having admitted to Probation Officer Justin Gibson that he had smoked marijuana within the last three weeks; (3) the defendant failed to work

regularly at a lawful occupation inasmuch as he was unemployed from February 2015, through the time of the filing of the petition on May 27, 2015; (4) the defendant failed to notify the probation officer within 72 hours of his contact with law enforcement inasmuch as he was questioned by law enforcement on January 9, 2015, and he did not notify the probation officer until January 27, 2015; and (5) the defendant failed to report for drug testing as directed on October 9, 2015; all as admitted by the defendant on the record of the hearing with the exception of (1) as set forth above and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

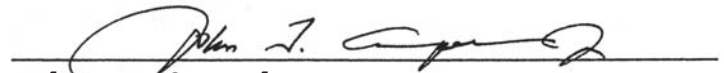
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth

in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of fifty-four (54) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that he make himself available for drug abuse counseling and treatment as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 4, 2015


John T. Copenhaver, Jr.
United States District Judge